

Appln No. 09/578,355

Amdt date May 31, 2005

Reply to Office action of January 31, 2005

REMARKS/ARGUMENTS

In the Office action dated January 31, 2005, the Examiner rejected all of the then pending claims, claims 19 - 21 and 23 - 54, under 35 U.S.C. § 103.

By this Amendment, Applicant has amended claims 19, 20, 25, 30, 33, 38, 41, 46 and 49. In addition, Applicant has canceled claims 23, 31, 39 and 47. Reconsideration and reexamination are hereby requested for claims 19 - 21, 24 - 30, 32 - 38, 40 - 46 and 48 - 54 that are now pending in this application.

Request for Acknowledgment of Receipt of Priority Documents

On May 24, 2000, Applicant submitted a certified copy of a priority document (Japanese patent Application No. 11-148317 which was filed on May 27, 1999) to the U.S. Patent Office. Applicant again requests that the Examiner acknowledge that the Office has received this priority document (e.g., on FORM PTO-326) or notify Applicant that the Office has not received this document.

Acknowledgment of Information Disclosure Statements

Applicant notes that the copies of the Information Disclosure Statements that accompanied the January 31, 2005 Office action had several references that appear to have been crossed out by the Examiner. In addition, some of the references that were crossed out also were initialed by the Examiner. According to Applicant's records copies of each of the references cited in the Information Disclosure Statements were provided to the Office at the time the Information

Appln No. 09/578,355

Amdt date May 31, 2005

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Disclosure Statements were originally mailed to the Office on May 24, 2000, November 22, 2002 and December 6, 2002. Accordingly, Applicant requests that the Examiner either confirm that all of the references in these three Information Disclosure Statements were considered by the Examiner or inform Applicant of any reasons why the Examiner could not consider these references.

Response to the Rejection of the Claims Under 35 U.S.C. § 103

The Examiner rejected claims 19 - 21, 23, 24, 30 - 32, 38 - 40 and 46 - 48 under 35 U.S.C. § 103(a) as being unpatentable over Yanagawa, U.S. Patent No. 5,128,999, in view of Montag et al., U.S. Patent No. 6,584,202. Claims 19, 30, 38 and 46 are independent. Claims 18 - 21 and 24, 32, 40 and 48 are dependent on independent claims 19, 30, 38 and 46, respectively. Claims 23, 31, 39 and 47 have been canceled.

The independent claims, as amended, are directed to an audio system or a method of reproducing audio signals that involves "reproducing at least three independent original audio signals" at a plurality of reproduction points. Moreover, each claim involves attenuation "in accordance with the law of the first wave front (Haas effect)."

In contrast, the cited references relate to the addition of 2-channel stereo signals to each other or the addition of a signal generated from the 2-channel stereo signal. Accordingly, the cited references do not teach or suggest "reproducing at least three independent original audio signals" as claimed. Moreover, the mixture of the 2-channel stereo signals as taught

Appln No. 09/578,355

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by the references is a significantly different technical process than the adding of signals as claimed. Accordingly, the structure and method of the claims are not obvious in view of the structures and methods of the cited references.

Moreover, the cited references do not teach or suggest that signals should or could advantageously be attenuated "in accordance with the law of the first wave front (Haas effect)."

In view of the above, independent claims 19, 30, 38 and 46 are not obvious in view of the cited references considered either separately or in combination. Accordingly, Applicants respectfully submit that independent claims 19, 30, 38 and 46 are patentable over these references.

Claims 18 - 21 and 24, 32, 40 and 48 that depend on claims 19, 30, 38 and 46 also are novel over the cited references for the reasons set forth above. In addition, these dependent claims are novel over these references for the additional limitations that the dependent claims contain.

Claims 25 - 29, 33 - 37, 41 - 45 and 49 - 53 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yanagawa as modified by Montag, as applied to claims 19, 30, 38 and 46 above, and further in view of Kuusama, U.S. Patent No.6,332,026.

This rejection is predicated on the rejection of independent claims 19, 30, 38 and 46. As Applicant argued above, however, the underlying rejection of the independent claims under section 103 should be withdrawn. Accordingly, Applicant submits that claims 25 - 29, 33 - 37, 41 - 45 and 49 - 53 are not obvious in view of the cited combination.

Appln No. 09/578,355

Amdt date May 31, 2005

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Claim 54 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Yanagawa as modified by Montag, as applied to claims 19, 30, 38 and 46 above, and further in view of Hoellermann, EP 642292.

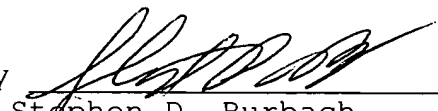
This rejection also is predicated on the rejection of independent claim 19. For at least those reasons set forth above, Applicant submits that claim 54 is not obvious in view of the cited combination.

CONCLUSION

In view of the above amendment and remarks it is submitted that the claims are patentably distinct over the cited references and that all the rejections to the claims have been overcome. Reconsideration and reexamination of the above Application is requested.

Respectfully submitted,
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